

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
NO. 04CV12364JGD

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ERIK SHEEHAN,
Plaintiff

vs.

VERIZON COMMUNICATIONS, INC.,
Defendant

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DEPOSITION OF LINDA RICHELSON, a
witness called on Behalf of the Plaintiff,
pursuant to Massachusetts Rules of Civil
Procedure, before Diane M. Durette, a
Registered Professional Reporter and Notary
Public in and for the Commonwealth of
Massachusetts, at the Law Office of Dominic
Finelli, 199 Revere Street, Revere,
Massachusetts on Friday, October 28, 2005,
commencing at 10 a.m.

COPY

1 A. My management style is open door, very
2 direct. If you want to know how I feel or
3 what I think about something, ask me and
4 I'll give you how I feel and what I think.
5 I inform my people about how I perceive the
6 quality of their work and on a timely basis
7 so there's no misunderstandings. And I
8 expect them to likewise be as open and
9 honest with me. If they have an issue I
10 expect them to bring it to my attention and
11 give us an opportunity to resolve it.

12 MR. FINELLI: I'm going to mark as
13 two exhibits two evaluations of Mr. Sheehan.

14 (Exhibits Nos. 3 and 4 marked for
15 identification.)

16 Q. We've just marked two performance
17 evaluations and you've looked them over,
18 correct?

19 A. Yes.

20 Q. And could you tell me if those are -- one is
21 mid year and one is a final year; do you
22 know?

23 A. They're both year end performances. The mid
24 year performance review is an entirely

1 different form.

2 Q. Was there a mid year performance review for
3 Erik?

4 A. Prepared for Erik, yes.

5 Q. Neither one of these are mid year?

6 A. No.

7 Q. Are these the same? Are these a copy?

8 A. They appear to be identical. They appear.

9 I have not checked them word for word.

10 MS. ROSEBUSH: The only distinction
11 is the one that's marked PL 0217 is signed
12 and the one marked VER 0406 is not signed.

13 Q. Okay. So as far as you're aware those are
14 the same? The letters appear to be larger
15 on one than the other so I'm not sure.

16 MS. ROSEBUSH: I think that's
17 probably because one is a photocopy and one
18 is right off the computer.

19 Q. Do you know if a mid year was given to Mr.
20 Sheehan?

21 A. Yes.

22 Q. Did you ever sit with Mr. Sheehan -- I'm not
23 sure if you answered this but did you ever
24 sit with Erik to review his objectives for

1 the year?

2 A. Oh, on numerous occasions.

3 Q. When did you do that?

4 A. Numerous occasions. Part of what we were
5 doing in the daily meeting was looking at
6 what had to be accomplished.

7 Q. Was there anything in writing relative to
8 what the objectives were for the year?

9 A. We generally developed objectives. It was a
10 requirement to develop objectives on an
11 annual basis.

12 Q. Were these provided to Mr. Sheehan in
13 writing?

14 A. Yes. Mr. Sheehan was probably, depending on
15 when he arrived on the team he could have
16 been asked to contribute to them.

17 Q. Did he have to agree to the objectives?

18 A. He's asked to provide -- the way the process
19 works is the managers are asked to provide
20 their objectives. I consolidate my
21 managers' objectives with my objectives;
22 pass them on to my boss who consolidates
23 with her direct reports. They go up the
24 line, get approved and they come back down.

1 In the process of going up and down they may
2 change but you have the opportunity to
3 comment.

4 Q. So there would have been some chain from
5 each person and then eventually to you,
6 there would have been some chain of letters
7 or objectives?

8 MS. ROSEBUSH: Objection. I think
9 that mischaracterizes her testimony.

10 Q. Well, explain to me again. Maybe I'm
11 ignorant on this. I want to be educated on
12 this. How would they go again from each
13 person?

14 A. When objectives were due I would ask my team
15 to provide me with their objectives. They
16 would provide me with their objectives. I
17 would consolidate what they provided me with
18 my own objectives, send them on to my boss.
19 My boss would do the same thing in her
20 organization with all her direct reports on
21 up the line.

22 Q. Did you ever sit with Mr. Sheehan regarding
23 his mid year evaluation?

24 A. No.

1 Q. Did the individual have to sign off on a mid
2 year evaluation?

3 A. The mid year evaluation was just between the
4 supervisor and the employee. It was not
5 something that was filed in the personnel
6 file or documented. It was an opportunity
7 to give the employee a warning or good news
8 or bad news but the point was that by the
9 time you got to the year end review there
10 were no surprises, that the supervisor had
11 communicated you're doing good here, you're
12 doing badly there, these are the areas that
13 need help, and the employee had time to make
14 things better before the year end review.

15 Q. So was there anything in writing again on
16 the mid year?

17 A. There was a mid year prepared for Erik.

18 Q. Is there a signature line on the mid year?

19 A. I don't recall that there is a signature
20 line. I don't recall what the form looks
21 like.

22 Q. Do you know when you sat down with him on
23 the mid year?

24 MS. ROSEBUSH: Objection.

1 A. I did not sit down with him on the mid year.

2 Q. Did you meet with him in any way regarding
3 the mid year?

4 A. I provided him with a copy.

5 Q. Did you ever meet with him regarding the
6 year end?

7 A. No. He was emailed, offered the
8 opportunity. He did not respond.

9 Q. So you emailed him to review --

10 A. I emailed him that the year end appraisal
11 was prepared and would he like to schedule
12 some time to sit down and talk about it, I
13 believe, I don't know if that's so, and he
14 did not respond. The email was sent return
15 receipt so I know he received it.

16 Q. Did you ever physically hand him a copy?

17 MS. ROSEBUSH: Which one?

18 Q. The year end?

19 A. No.

20 Q. Was the final year evaluation ever placed on
21 Mr. Sheehan's desk?

22 A. No.

23 Q. So you never had any discussions or meetings
24 with Mr. Sheehan regarding the year end?